REMARKS

The Examiner has rejected pending Claims 1-10 under 35 U.S.C. §1.03 as being obvious over the cited art. Specifically the Examiner has rejected Claims 1, 3, 5 and 7 over Burbage, et al. (US 6,390,733) in view of Argy (US 4,417,603). Claim 2 was rejected over Burbage, et al. in view of Argy and further in view of Reid, Jr. (US 3,969,781). Claims 4, 6, 9 and 10 were rejected over Burgage, et al., in view of Argy and further in view of Chaney (US 3,664,286). Finally, claim 8 was rejected over Burbage, et al. in view of Argy and further in view of Perera et al. (US2003/0224674).

Applicant respectfully traverses the Examiner's rejections of the claims. As set forth below Applicant submits that the cited references do not render the claimed invention obvious.

Claims 1, 3, 5 and 7

In rejecting Claims 1, 3, 5 and 7 the Examiner has stated:

"Burbage et al. discloses it is well know and old for an apparatus to transfer fluid from a first vessel (12) to a second vessel (40) in an off-shore environment (see col. 1 lines 1-30, col. 2 lines 20 thru col. 3 line 5), comprising a partly submerged floating dock (14), variable buoyancy means (see col. 1 lines 1-30, col. 2 lines 20 thru col. 3 line 5) operable to alter the draught of the dock to enable engagement of the dock with the second vessel, a single point mooring system (26) attached to the dock, at least one rigid pipeline (16) attached between the first vessel and the dock via flexible connection means ((24), see col. 2 line 30+), and means (42, 46) for transferring fluid from the dock to the second vessel. Anchor lines (22). Burbage et al. discloses the invention is well known and old in the art except for the pipeline being for cryogenic fluids. (emphasis added).

Applicant respectfully submits that the Examiner has misconstrued the subject invention and/or the disclosure of Burbage, et al. Referring to the instant application, Applicant's invention is directed to an apparatus for transferring cryogenic fluids from a first vessel, referred to as a production vessel at line 18 to a second vessel, referred to a tanker at line 19. The transfer of fluid between the first and second vessels occurs via the floating dock, and a rigid pipeline which connects the first vessel to the floating dock.

This is more clearly set forth in the Detailed Description portion of the specification wherein the first vessel is indicated as a floating production barge 5.

The rigid cryogenic piping is identified as flow lines 6 which connect production barge 5 with floating dock (pontoon) 1. This is described at page 3, line 20 through page 4, line 6 and is shown in Fig. 1.

The second vessel is described as tanker 7 which docks with floating dock 1 as shown in Fig. 3 and described at page 4, lines 1-6 at page 6, lines 7-10.

Accordingly, Applicant respectfully submits that the disclosure as originally filed clearly identifies the first and second vessels as being separate from the floating dock.

As claimed in Claim 1, the subject invention includes a partly submerged floating dock which is part of an apparatus to transfer fluid between a first and second vessel. As claimed the floating dock includes a variable buoyancy means operable to alter the draught of the dock to enable engagement of the dock with the second vessel.

Contrary to the contention of the Examiner, Burbage, et al. does not disclose a first vessel and second vessel and a floating dock for transferring fluid between the first and second vessel. Burbage simply discloses a barge 14 which can be connected to an off-loading tanker 40. Barge 14 and tanker 40 correspond to the first and second vessel. The

Examiner incorrectly characterizes production facility 12 as a first vessel and barge 14 as a floating dock. Applicant submits that production facility 12 is not a "first vessel". Burbage, et al. discloses that the production facility 12 may be a platform, spar or TLP. Moreover, barge 14 of Burbage, et al. does not engage the second vessel (tanker 40). The two are simply moored together by mooring line 49.

Accordingly, Burbage, et al. does **not** disclose that Applicant's invention is known in the art, except for the pipeline being for cryogenic fluids.

Therefore, Applicant respectfully submits that the combination of Burbage, et al. and Argy does not render Claims 1, 3, 5 and 7 obvious. One skilled in the art could not combine Argy's flexible cryogenic pipeline with Burbage, et al. to arrive at the claimed invention.

Claim 2

The Examiner has rejected Claim 2 as being unpatentable over Burbage, et al. in view of Argy as applied to Claim 1 and further in view of Reid, Jr.

Applicant submits that Claim 2, which depends from Claim 1, is allowable for the reasons discussed in connection with Claim 1. Additionally, Applicant submits that the Examiner's reliance on Reid is misplaced. Although Reid, Jr. does disclose using two or more rigid pipelines, Reid, Jr. does not disclose "two or more rigid pipelines between the dock and the first vessel, etc."

Therefore, Applicant submits that Claim 2 is allowable over the cited art.

Claims 4, 6, 9 and 10

Claims 4, 6, 9 and 10 were rejected as being obvious over Burbage, et al., in view of Argy as applied to Claim 1 and further in view of Chaney (US 3,664,286). Since these claims each depend, directly or indirectly, from Claim 1. Applicant submits that they are allowable for the reasons discussed above. Additionally, Applicant submits that the Examiner has misconstrued the teaching of Chaney. Chaney does not disclose a floating dock. Rather Chaney discloses a ballast compartment 22 which is actually part of vessel 10 and can be raised or lowered depending upon the circumstances. Moreover, the ballast 22 of Chaney does not perform the same function as the floating dock in the instant application. In Applicant's invention the floating dock engages the hull of the second vessel while it is moored during the fluid transfer process. As disclosed in Chaney, during the fluid transfer process the ballast 22 is lowered away from the vessel to provide for stability. It is retracted within the vessel when it is desired to move the vessel.

Accordingly, Applicant respectfully submits that Claims 4, 6, 9 and 10 are allowable over the cited art.

Claim 8

The Examiner has rejected Claim 8 over Burbage, et al., in view of Argy as applied to Claim 1 and further in view of Perera, et al. (US2003/0224674). Applicant submits that Claim 8 is allowable for the same reasons discussed in connection with independent Claim 1. Additionally, Applicant respectfully submits that Perera, et al. does not disclose the limitation of Claim 8. First, turret (5) of Perera appears to be attached to or part of the hull of vessel 2. It is not part of a floating dock. Additionally, Perera does

not disclose the positioning of the turret with the range claimed in Claim 8. Therefore, Applicant submits that Claim 8 is allowable over the cited art.

Applicant respectfully submits that pending claims 1-10 are allowable over the cited art and that the applicant is in condition for the issuance of a Notice of Allowance.

If any fees are due, please charge our Deposited Account No. 21-0800.

Respectfully submitted,

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